

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION

Tony O'Manley Whisenhunt,	)	Civil Action No.: 8:15-cv-00173-RBH
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
Carolyn W. Colvin, Acting	)	
Commissioner of the Social	)	
Security Administration,	)	
	)	
Defendant.	)	
	)	

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On May 3, 2016, Plaintiff filed a motion for attorney's fees, costs, and expenses pursuant to the Equal Access to Justice Act,<sup>1</sup> asserting the position taken by Defendant in this action was not substantially justified. *See* ECF No. 20. On May 18, 2016, the parties filed a joint stipulation wherein Plaintiff's motion was withdrawn and they agreed to an award of attorney's fees in the amount of \$4,500.00 and expenses in the amount of \$16.00. *See* ECF No. 21. The joint stipulation provides that the attorney's fees awarded should be paid to the claimant, not his attorney, and would be subject to the Treasury Offset Program<sup>2</sup> if the claimant owes an outstanding debt to the federal government. *See id.*

After careful consideration, the Court **ORDERS** Defendant to pay the following: (1) attorney's fees in the amount of \$4,500.00, subject to the Treasury Offset Program provision in the parties' joint stipulation; and (2) expenses in the amount of \$16.00. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the attorney's fees and expenses will be paid directly to the claimant and mailed to his attorney, with a copy sent to the claimant.

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<sup>1</sup> 28 U.S.C. § 2412(d).

<sup>2</sup> 31 U.S.C. § 3716.

**IT IS SO ORDERED.**

May 19, 2016  
Florence, South Carolina

s/ R. Bryan Harwell  
R. Bryan Harwell  
United States District Judge